

Appl. No. 10/553,363
Amdt. dated February 29, 2008
Reply to Office Action of November 30, 2007

REMARKS/ARGUMENT

This amendment responds to the Office Action of November 30, 2007.

Claims 1 and 12-17 are pending in the application with claims 1, 12-14 and 16 having been currently amended and claims 2-11 and 18-20 canceled.

Claims 1, 7, 12-15, and 18 have been allowed.

Claim 7 has been canceled because it no longer had antecedent basis in claim 1 owing previous amendments to claim 1.

Claim 18 has been canceled because it was identical to pending claim 16.

Claims 1 and 12-14 have been amended to change "compound (1)" to "fluopicolide" because, owing to previous amendments, there was no longer anything in claim 1 identified as compound 1.

In the current Office Action, claims 16-19 have been rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter that Applicants regard as their invention.

Specifically, the Examiner has stated that there is no antecedent basis for the term "the soil" in the claims. Claim 16 has now been amended to change "the soil" to "soil". Claim 17, which is dependent upon claim 16, does not, per se, include this terminology. Claims 18 and 19 have been canceled.

Accordingly, it is requested that the rejection of claims 16-19 have been rejected under 35 U.S.C. 112, second paragraph, be withdrawn.

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In view of the foregoing, it is submitted that this application is now in condition for allowance and an early Office Action to that end is earnestly solicited.

Respectfully submitted,



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